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HOUSE BILL 912

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Joni Marie Gutierrez

AN ACT

RELATING TO PUBLIC SCHOOLS; PROVIDING FOR SCHOOL DISTRICT
POLICIES PROHIBITING THE USE OF ANABOLIC STEROIDS BY STUDENTS
ENGAGED IN INTERSCHOLASTIC ACTIVITIES; PROVIDING FOR RANDOM
TESTING; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-5-4.3 NMSA 1978 (being Laws 1986,
Chapter 33, Section 9, as amended) is amended to read:

"22-5-4.3. SCHOOL DISCIPLINE POLICIES.--

A. Local school boards shall establish student
discipline policies and shall file them with the department [~~of~~
~~education~~]. The local school board shall involve parents,
school personnel and students in the development of these
policies, and public hearings shall be held during the
formulation of these policies in the high school attendance

.155210.1

underscoring material = new
[bracketed material] = delete

underscored material = new
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1 areas within each school district or on a district-wide basis
2 for those school districts that have no high school.

3 B. Each school district discipline policy shall
4 establish rules of conduct governing areas of student and
5 school activity, detail specific prohibited acts and activities
6 and enumerate possible disciplinary sanctions, which sanctions
7 may include corporal punishment, in-school suspension, school
8 service, suspension or expulsion.

9 C. Commencing with the 2005-2006 school year, each
10 school district shall adopt and maintain a policy that
11 prohibits the use of anabolic steroids by students and provides
12 for the random testing for anabolic steroids of students
13 participating in interscholastic athletics governed by the New
14 Mexico activities association. The results of such testing
15 shall be kept confidential, separate from a student's
16 educational record and nontransferable and not disclosable to
17 any other school district. The results may only be used to
18 disqualify a student from continued participation in
19 interscholastic athletics after two prior incidents in which
20 the student was first warned and then suspended temporarily
21 from participation in interscholastic athletics governed by the
22 New Mexico activities association after testing positive for
23 anabolic steroid use. The department shall promulgate rules to
24 implement the provisions of this subsection, including
25 establishing guidelines addressing random testing by school

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